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GTC BIOTHERAPEUTICS, INC.  
175 CROSSING BOULEVARD, SUITE 410  
FRAMINGHAM, MA 01702

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**OFFICE OF PETITIONS**

In re Application of :  
Yann Echelard, et. al. :  
Application No. 09/884,586 : **ON PETITION**  
Filed: June 19, 2001 :  
Attorney Docket No. 10275-120001/GTC-31 :

This is a decision on the petition under 37 CFR 1.137(b), filed December 2, 2004, to revive the above-identified application.

The above-identified application became abandoned as a result of petitioner's failure to file an appeal brief (and fee required by 37 CFR 1.17(c)) within the time period provided in 37 CFR 1.192(a). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed April 21, 2004, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.192(b) & 1.197(c). As no claim was allowed, the above-identified application became abandoned after midnight June 21, 2004. See MPEP 1215.04.

In response, petitioner submitted with the instant petition an authorization to charge the listed deposit account \$685 for the petition to revive fee, \$395 for the filing of a Request for Continued Examination (RCE) under 37 CFR 1.114, and an amendment. As authorized, the above fees have been charged to petitioner's deposit account.

The petition is **GRANTED**.

The application file is being referred to Technology Center Art Unit 1636, for processing the Request for Continued Examination, and for further review of the amendment filed with the instant petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy